

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**FREDRICK HALL,**

**Petitioner,**

**vs.**

**WARDEN HARRY K. RUSSELL,**

**Respondent.**

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**Case No. 1:02-cv-34**

**JUDGE AUTHOR SPIEGEL**

**MAGISTRATE JUDGE BLACK**

---

**AFFIDAVIT IN SUPPORT OF  
PETITIONER'S ORAL MOTION FOR CONTINUANCE**

---

Now comes Petitioner, by and through counsel, and hereby submits the Affidavit of Lolita Moore in support of his August 29, 2006 oral Motion for Continuance.

Respectfully submitted,

David Bodiker (16590)  
Ohio Public Defender

/s/ Craig Jaquith  
Craig M. Jaquith (0052997)  
Assistant State Public Defender  
Office of the Ohio Public Defender  
8 East Long Street – 11<sup>th</sup> Floor  
Columbus, Ohio 43215  
Telephone: (614) 466-5394  
Facsimile: (614) 752-5167  
E-mail: [Jaquithc@opd.state.oh.us](mailto:Jaquithc@opd.state.oh.us)

/s/ Diane M. Menashe  
Diane M. Menashe (0070305)  
Attorney at Law  
536 South Wall Street, Suite 300  
Columbus, Ohio 43215  
Telephone: (614) 221.6500  
Facsimile: (614) 224.9258  
E-mail: [menashe@columbus.rr.com](mailto:menashe@columbus.rr.com)

COUNSEL FOR PETITIONER

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Affidavit in Support of Petitioner's Oral Motion for Continuance was delivered on this 8th day of September 2006 by regular U.S. mail, postage prepaid; and/or by facsimile transmission, and/or by electronic transmission; and/or by personal delivery to the following:

Stephanie Watson  
Assistant Ohio Attorney General  
150 E. Gay Street, 16<sup>th</sup> Floor  
Columbus, OH 43215

Criag Jaquith  
Assistant State Public Defender  
8 East Long Street – 11<sup>th</sup> Floor  
Columbus, Ohio 43215

David Bodicker  
Ohio Public Defender  
8 East Long Street – 11<sup>th</sup> Floor  
Columbus, Ohio 43215

Respectfully submitted,

/s/ Diane M. Menashe  
Diane M. Menashe (0070305)

COUNSEL FOR PETITIONER